# SUMMARY OF THE TRANSITION COMMITTEE MEETING DECEMBER 16, 1999

The Transition Committee of the National Environmental Laboratory Accreditation Conference (NELAC) met on Thursday, December 16, 1999, at 8:15 a.m. Eastern Standard Time (EST) as part of the Fifth NELAC Interim Meeting in Washington, DC. The meeting was led by its co-chairs, Dr. Charles D. Brokopp of the Utah Department of Health and Ms. Carol Batterton of the Texas Natural Resource Conservation Commission (TNRCC). A list of action items is given in Attachment A. A list of participants is given in Attachment B. *The purpose of the meeting was to discuss the issues contained on the committee's published agenda and to entertain open discussion related to the committee's future purpose and role.*

## INTRODUCTION OF COMMITTEE AND REVIEW OF AGENDA

Dr. Brokopp and the committee members introduced themselves and Dr. Brokopp reviewed the ground rules governing the meeting. He then highlighted the agenda items to be discussed during the meeting.

## AGENDA ITEMS

### Accrediting Authority Group Meetings

Ms. Jeannie Mourrain, Director of NELAC/National Environmental Laboratory Accreditation Program (NELAP) reviewed some of the recent work of the Accrediting Authority Group. This group of 11 NELAP accrediting authorities has assumed some of the duties previously handled by this committee. It serves as a forum for the accrediting authorities who interpret and implement the approved NELAC standards and its purpose is to ensure reasonably even-handed development of the NELAP program. Their approach is informal, discussions are lively, and outcomes are by consensus.

There were several comments that it would be appreciated if the group would be more forthcoming with summaries of its activities. Dr. Ken Jackson explained that the group is an informal gathering of accrediting authorities, and that decisions are made by consensus vote. The group's decisions, and not their meeting minutes, will be posted on the NELAC Website. It was suggested that the group could become a subcommittee that reports to the Transition Committee. It was also suggested that this group could benefit from input from other stakeholders in implementing the NELAC Standards.

One issue addressed involved the lack of a uniform format for the NELAC fields of testing on the NELAC Website, and difficulties that presents in determining which accrediting authorities offer which fields of testing. Dr. Carl Kircher of the Florida State Department of Health, who was recognized by Ms. Mourrain for his considerable effort expended, reported that this information has been reformatted to be more user friendly. When asked whether each NELAC accrediting authority should be required to offer some minimum set of analytes per field of testing, the group

agreed that it would not require such a minimum set but would encourage the states to expand their current analyte offerings.

There was brief discussion regarding whether the date for NELAC to accept proficiency testing (PT) samples would be moved up from the currently held date of January 1, 1999 to July 1, 1999. Ms. Mourrain stated that the date would be July 1, 1999.

With the On-site Assessment Committee, the Accrediting Authority Group has reviewed the on-site assessment checklist which closely follows the structure of the NELAC Standards. Both groups have agreed on the content of the checklist and it has been posted on the NELAC Website. This group has agreed to allow accrediting authorities to reformat the checklist to suit their specific needs as long as they document that their reformatted lists agree with the posted version with no additions or deletions.

Some laboratories have asked when they can apply for secondary accreditation. Ms. Mourrain replied that secondary accreditation will be an option after July 1, 2000.

A question was raised as to the feasibility of expanding the group to include states that are soon-to-be accrediting authorities. Dr. Jackson responded that this might not be the appropriate time for such expansion but that expansion might be a good idea after the core group has better settled into its routines.

**Interim Accreditation**

The NELAC Standards provide "interim" accreditation for a laboratory that has successfully met all NELAC requirements except the on-site assessment. Due to the logistics of the initial phase of laboratory accreditation, it is anticipated that a significant portion of the accrediting authorities will complete on-site assessments for only a portion of the laboratories. Hence, a number of "interim" laboratory accreditations have been anticipated.

The statement was made that the reason the "interim accreditation" status is not included in the data set currently contained on the NELAC database is because the intent of NELAC was to reserve a laboratory's interim accreditation as confidential information. While the intent of excluding "interim accredited" as a laboratory category on the NELAC database was designed to keep that information confidential, a participant stated that the laboratory's end-user can easily obtain status information by simply requesting a faxed copy of the laboratory's NELAP certificate. Participants were concerned about the potential business disadvantages that "interim" status might cause. There was also considerable sentiment voiced that laboratories with interim status would be perceived by potential clients as "second-class" laboratories. It was noted that this could be a potentially serious issue for small laboratories. It was generally agreed that a "level playing field" is the needed goal and several ideas were discussed on how this could be practically implemented.

The interpretation of "interim accredited" by the NELAC Database Committee was that it is a status to be assigned only in "emergency situations" when a laboratory is not quite ready to be accredited. There was a recommendation that all laboratories be identified as interim accredited

until 2001. The response was that some states do not permit recognition of the status "interim accredited" laboratories in their current legislation or rules.

A participant questioned whether the July 1, 2000 date for accreditation of the initial group of laboratory applicants is a realistic date for the accrediting authorities to complete all of its assessments. Considerable debate was heard concerning retaining the current date or postponing the date. Dr. Jackson assured participants that he believes that the accrediting authorities will cooperatively complete their work to meet this important, but ambitious, milestone.

**Timing of Primary and Secondary Accreditation**

The first group of NELAC-accredited laboratories, accredited by their primary accrediting authorities, is planned to be announced on or about July 1, 2000. For logistical reasons, the subsequent announcement of secondary accreditation is planned for a month later.

It was questioned why there should exist a 30-day delay between an accrediting authority's granting of its primary and secondary accreditations. The accrediting authorities present assured participants that they are confident they can issue their secondary accreditations in less than 30 days, but that the speed with which each can do this will vary between accrediting authorities. The current NELAC Standards (6.2.1.b.2) simply allow a maximum of a 30-day window. Discussion was heard regarding the advantages and disadvantages of granting all secondary accreditations simultaneously or not.

**Laboratory Assessor Training**

Training of laboratory assessors is an essential component of NELAC implementation. EPA has funded development of a laboratory assessor training course which has been reviewed by the On-site Assessment committee. Funding for this work expires on December 31, 1999.

Mr. Jerry Parr circulated a description of a tax-exempt foundation called the Global Institute of Environmental Scientists (GIES), with which he is involved. GIES is designed to work outside the structure of NELAC and was proposed as a possible coordinator for organizations responding to a request for proposals (RFP) to provide the needed laboratory assessor training. He reported that there are 11 to 12 organizations interested in presenting the current U.S. Environmental Protection Agency (USEPA)-developed training course. Requirements would be provided to these organizations, and they can then participate in either or both of two 5-day workshops planned for Baltimore and San Francisco in March or April, 2000 for 50 - 70 state assessors .

Discussion was heard regarding potential inconsistencies among trained and untrained assessors, and whether these inconsistencies are a matter of concern to the laboratory community. It was agreed that laboratories may have to accept the assessors and training that exist at this time but NELAC should move forward quickly with additional training for the present assessors as well as increasing the total number of trained assessors.

A question was asked about minimum qualifications for assessor trainers. In its RFP, GIES did not set minimum trainer requirements to avoid being exclusionary. However, Mr. Parr assured

participants that he is familiar with the organizations that have expressed interested in supplying the training and believes they are appropriately qualified. When asked whether the GIES initiative requires NELAC approval, Ms. Mourrain reported that she would seek approval from the NELAC On-site Assessment Committee, and that she is obtaining USEPA legal counsel on trainer approval issues.

A question was raised about who will approve, for the sake of consistency, the various state and organizational training programs. Discussion was heard regarding whether the current USEPA-approved training course would be made available to all NELAC committees and potential instructor organizations for comment and revision. Ms. Mourrain reported that revision of the course may be appropriate, but that it cannot be done using USEPA resources. The course content has been reviewed by the On-site Assessment and Quality Systems Committees within NELAC. There were offers to make critical changes, gratis, to the materials in order to expedite presentation of the course.

Based on his awareness of cost categories and potential revenue options, Mr. Parr's initial estimate of the cost of the 5-day training course to prospective laboratory assessors is $300 - $500 per participant at this time.

**Recognition of Additional Accrediting Authorities**

Ms. Mourrain reported that NELAP has received completed applications from the states of Oregon and Louisiana. Wisconsin reported that it would apply, perhaps by May 2000. Other states that may be applying in the longer term include Virginia, Washington, and Texas (Department of Health). A comment was heard that some states might not apply unless the two-year grace period for states to modify their legislation and rules is extended. Mr. John Anderson, chair of the Accrediting Authority committee, reported that the issue of extending this grace period is on the agenda of the Accrediting Authority Committee.

**Future Purpose and Role of Transition Committee**

Dr. Brokopp noted that this *ad hoc* committee had been formed to address issues encountered during the transition phase of development of the NELAC Standards to the implementation of those standards. He noted that many of these issues are now being addressed by the accrediting authories group. Hence, the question of whether this committee has now completed its charge was broached.

Dr. James Pearson, NELAC chair, responded by noting that the NELAC Board of Directors met the preceding day to discuss the statements made by Mr. Henry Longest in his keynote address of the opening plenary session regarding future funding for NELAC. As a result, the board charges this committee to:

- review potential options and outcomes for NELAC, and to
- report their recommendations to the board no later than at the Sixth NELAC Annual Meeting.

Dr. Jackson reported that discussions with Mr. Longest confirmed that it is the USEPA Office of Research and Development (ORD), and not the USEPA in its entirety, that intends to withdraw its support for NELAC, due to differences in the mission of ORD and NELAC. When asked what alternative plans might develop, Dr. Jackson reminded participants that the NELAC Board of Directors is already working to develop an appropriate, coherent response to this announcement.

Dr. Pearson reminded participants current USEPA funding is committed through 2001, and cautioned that considerable time exists for all involved parties to thoughtfully consider their responses. Dr. Brokopp appealed to all participants to forward their ideas to assist NELAC in formulating its responses.

Ms. Mourrain promised that NELAC would place a special announcement on the NELAC Website regarding the situation so that a unified message is available to all involved parties. Dr. Pearson and Dr. Brokopp will each make statements during the NELAC Vi Closing Plenary Session to clarify details of the current situation and NELAC's possible responses. It was suggested that the Transition Committee will be critically important to the future addressing of issues arising as NELAP accreditation is implemented.

Topics that might be addressed include

- future approval of PT sample providers,
- future approval of on-site assessors, and
- the concerns of the laboratory community as they undertake the NELAC accreditation process.

A participant asked that the Transition Committee to be involved with the Proficiency Testing (PT) Committee as it deliberates Section 2.0 of the NELAC Standards as well as the analyte list. Another participant mentioned the potential impact of the International Standards Organization (ISO) Guide 17025 on NELAC. Mr. Anderson asked that participants who have proposed items for future consideration by the committee also provide as much background information, and their own recommendations, so as to facilitate the deliberations of the committee.

**ADJOURNMENT**

The committee thanked attendees for their input and adjourned the meeting.

**Attachment A**

**ACTION ITEMS**
**TRANSITION COMMITTEE MEETING**
**DECEMBER 16, 1999**

| Item No. | Action | Date to be Completed |
|---|---|---|
| 1. | Consider making the accrediting authorities group a subcommittee of the Transition committee. | |
| 2. | Ms. Mourrain will obtain USEPA legal counsel on the approval of trainers for laboratory assessor training. | |
| 3. | NELAC participants are to forward their ideas for ensuring the future of NELAC to the Transition Committee as listed in Attachment B | |
| 4. | Ms. Mourrain will place a statement on the NELAC Website regarding Mr. Longest's statements at the Opening Plenary | |
| 5. | Participants having recommendations for future activities of this committee should submit them in writing to committee members. | |

**Attachment B**

**PARTICIPANTS**
**TRANSITION COMMITTEE MEETING**
**DECEMBER 16, 1999**

| Name | Affiliation | Address |
|---|---|---|
| Brokopp, Charles Co-Chair | UT Department of Health | T: (801)584-8450<br>F: (801)584-8486<br>E: cbrokopp@doh.state.ut.us |
| Batterton, Carol Co-Chair | TX Natural Resource Conserv. Comm. (TNRCC) | T: (512)239-6300<br>F: (512)239-6390<br>E: cbattert@tnrcc.state.tx.us |
| Anderson, John | IL EPA, Division of Laboratories | T: (217)782-6455<br>F: (217)524-0944<br>E: jpanderson@epa.state.il.us |
| Clark, Stephen (absent) | USEPA/OW | T: (202)260-7159<br>F: (202)260-4383<br>E: clark.stephen@epa.gov |
| Eaton, Andrew (absent) | Montgomery-Watson Laboratories | T: (626)568-6425<br>F: (626)568-6326<br>E: andrew.eaton@mw.com |
| Hershey, J. Wilson (absent) | Lancaster Laboratories, Inc. | T: (717)656-2300<br>F: (717)656-0450<br>E: jwhershey@lancasterlabs.com |
| Jackson, Kenneth | New York State Dept. of Health | T: (518)485-5570<br>F: (518)485-5568<br>E: jackson@wadsworth.org |
| Mourrain, Jeanne | USEPA/ORD | T: (919)541-1120<br>F: (919)541-4261<br>E: mourrain.jeanne@epamail.epa.gov |
| Parr, Jerry | Catalyst Info. Resources, L.L.C. | T: (303)670-7823<br>F: (303)670-2964<br>E: catalyst@eazy.net |
| Rosecrance, Ann (absent) | Core Laboratories | T: (713)329-7414<br>F: (713)895-8982<br>E: arosecrance@corelabcorp.com |
| Harvey, Bruce (Contractor Support) | Research Triangle Institute | T: (919)541-6573<br>F: (919)541-7386<br>E: bwh@rti.org |